(SRI S. D. KOTHAVALE)

life and the life of their family members. We have got to do something for this class of landless labourers. If we do not put a reasonable ceiling limit to land-holding, it will not be possible to make lands available to these landless labourers. So far as the Bombay Act is concerned, very scant consideration has been given to the problem of landless labourers. So it is necessary that a reasonable ceiling limit should be fixed so as to leave sufficient land for distribution amongst the landless labourers.

With respect to the question of ceiling of land-holding, the Second Five-Year Plan says that the ceiling should not exceed three times the economic holding. Economic holding is defined in the Second Plan as a piece of land yielding a gross produce worth Rs. 1,600. Therefore the total ceiling area according to the scheme of the Second Plan should be an area yielding a gross income of Rs. 4,800 and the ceiling should not exceed that limit. There are certain reasonable exceptions recognised by the Second Plan and I need not go into that question here because that question will be considered at the appropriate time when this House will be considering a uniform law for the entire State. Therefore, as the matter stands, the Bombay Act has flouted the provisions of the Second Plan for land reforms. It is possible, as I said in the beginning, that a landholder may hold even 500 acres or sometimes 1,000 acres if he happens to possess them somehow or other. Therefore, the view expressed by some of the Hon'ble Members opposite that the Bombay measure is a very progressive one, is not correct. I hold different views about the scheme of that Act. I expressed those differences to the Bombay Government when the Bill was under consideration and also when the Bill came before the Legislature for consideration.

Now, with respect to the other matter, namely, the transfer of ownership of land to tenants, the question is, are the provisions of the Bombay Act equitable and do they effectively transfer the ownership of land to tenants ? I submit in all humility that the Act does not do so. In the Act itself there are many impediments in the way of the transfer of ownership of land to tenants and so the scheme for transfer of ownership of land to tenants is not a very scientific one. Any one casually going through the provisions of Sections 32 to 32R will find that the question of payment of price by the tenant and receipt of price by the landlord is a matter between the landlord and the tenant. It has been my humble view that this matter should not be left to these two classes only, namely, landlords and tenants, but the matter should be left to a tribunal constituted for the purpose. This idea is incorporated in the scheme contained in the Second Plan. There it is stated that the amount of price should be made payable in 20 instalments and the State Government concerned should pass bonds in favour of the landlords and recover what is called fair rent under the Second Plan from the tenants and pay the same for satisfying the instalments for a period of 20 years or so. The idea of the Second Plan is that both the landlords and the tenants should be benefited and there should be a good relationship between the two classes. But, a the House will find, under the present Act the instalments are made payable by the tenants to the landlords. In case a tenant fails to pay more than four instalments, then the transfer of ownership of the land does not come into effect. I shall read a portion from the Act to illustrate what I said. Section 32M (1) says :

> "(1) On the deposit of the price in lumpsum or of the last instalment of such price, the Tribunal shall issue a certificate of purchase in the prescribed form, to the tenant in respect of the land. Such certificate shall be conclusive evidence of purchase. If a tenant fails to pay the lumpsum within the period fixed under clause (ii) of sub-section (1) of Section 32K or is at any time in arrears of four instalments, the purchase shall be